

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:01CR3027
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
CASEY L. BROWN,)	
)	
Defendant.)	

By October 12, 2005 order (filing 120), this court ordered that to the extent a filing by the defendant (filing 118) was a notice of appeal, a certificate of appealability would not issue and the defendant was not entitled to proceed on appeal in forma pauperis. Filing 118, treated as a notice of appeal, has been forwarded to the Court of Appeals. Subsequently, the defendant filed a motion for leave to appeal in forma pauperis (filing 123).

For the reasons stated in filing 120, I find, again, that the defendant is not entitled to proceed on appeal in forma pauperis.

IT IS ORDERED:

1. The motion in filing 123 is denied, and the defendant is not entitled to proceed on appeal in forma pauperis; and
2. The Clerk of the Court shall forward a copy of this order to the Court of Appeals.

October 25, 2005.

BY THE COURT:
s/Richard G. Kopf
United States District Judge